

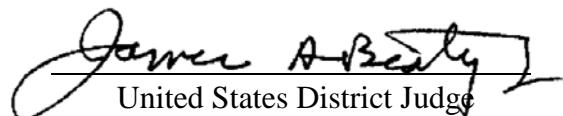
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STEPHEN M. MARTIN,)
)
Plaintiff,)
)
v.) 1:05CV00063
) 1:05CV00462
SENN DUNN LLC,)
)
Defendant.)

ORDER

For the reasons discussed in the Memorandum Opinion filed contemporaneously herewith, the Court finds that Defendant's Motion to Enforce Settlement Agreement [Document #9 in 1:05CV63] will be DENIED, and this case, designated as 1:05CV63, is returned to the Court's calendar. In addition, the subsequent case filed by Plaintiff against Defendant, designated as 1:05CV462, is hereby consolidated with 1:05CV63 for the Court's convenience. Finally, the pending Motions to Dismiss [Document #5 in 1:05 CV63 and Document #4 in 1:05CV462] will be DENIED WITHOUT PREJUDICE to Defendant filing a renewed Motion to Dismiss on any basis (other than the question of whether a settlement exists) as to any of the claims raised by Plaintiff in either of the consolidated cases. If Defendant chooses to file such a Motion to Dismiss, it should be filed within 30 days of the date of this Order.

This, the 7th day of November, 2005.



James A. Beatty
United States District Judge